



S/N 09/218916

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Larry A. Nickum
Serial No.: 09/218916
Filed: December 22, 1998
Title: EVENT NOTIFICATION WITHIN A LOCAL SYSTEM

Examiner: Sheela Rao
Group Art Unit: 2125
Docket: 450.251US1

DECLARATION UNDER 37 CFR § 1.131

Commissioner for Patents
P.O.Box 1450
Alexandria, VA 22313-1450

I Larry A. Nickum, declare and say as follows:

1. I was an employee of Gateway, Inc., the assignee of the above-identified U.S. patent application on the filing date of the application.
2. I am the inventor of the subject matter claimed in the above-identified U.S. patent application.
3. Exhibits A, B, and C, attached hereto and incorporated by reference herein, are submitted as factual evidence of conception of the invention in the United States prior to April 28, 1998 coupled with due diligence from conception in the United States to constructive reduction to practice, as evidenced by the filing of a U.S. patent application.
4. Exhibit A is factual evidence that the invention was conceived in the United States prior to April 28, 1998. Exhibit A is a photocopy of a signed and witnessed invention disclosure form submitted to Gateway, Inc and describes aspects of the invention as claimed.
5. Exhibits B and C are photocopies of documents further showing that the invention was conceived in the United States prior to April 28, 1998 and that the invention was diligently pursued subsequent to its conception. Exhibit B is a photocopy of a letter from a patent search firm that performed the patentability search on the subject matter of the invention. Exhibit C is a letter sent to Gateway Inc.'s outside patent counsel providing instructions to prepare a patent application for the subject matter of the invention. I then worked with an outside patent attorney as my other duties permitted in preparing the application. A final draft was executed and filed on December 22, 1998 as the above-described application. The material in Exhibits A, B and C that

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has been deemed to be irrelevant to evidence supporting the diligent reduction to practice of the invention claimed in the above-identified application has been redacted from Exhibits A, B and C.

6. Each of the dates redacted from Exhibits A, B, and C is prior to April 28, 1998.

7. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

Date

July 5, 2003

Larry A. Nickum
Larry A. Nickum